

**VETERANS AFFAIRS, IOWA DEPARTMENT OF[801]**

**Adopted and Filed**

Pursuant to the authority of Iowa Code section 35A.5, 2008 Iowa Acts, chapter 1130, and 2009 Iowa Acts, House File 283, the Iowa Department of Veterans Affairs hereby adopts new Chapter 7, "County Commissions of Veteran Affairs Fund and Training Program," Iowa Administrative Code.

This new chapter is established to comply with 2008 Iowa Acts, chapter 1130, and 2009 Iowa Acts, House File 283, both of which amend the structure of county commissions of veteran affairs, including revisions to the amount of funds distributed and the method of distribution; the creation of a county commission of veteran affairs training program; and the establishment of minimum requirements for county commissions of veteran affairs.

Notice of Intended Action was published in the Iowa Administrative Bulletin on March 25, 2009, as **ARC 7660B**. A public hearing was held on April 17, 2009. Public comment was received, and the adopted rules have been modified from those published under Notice of Intended Action in response to public comment. Subrule 7.2(2) has been revised to make accreditation training optional for county office support staff. Subrule 7.2(2) now reads as follows:

**"7.2(2)** A county veteran service officer shall attend and support staff may attend an annual school of instruction provided by the department or a national school of accreditation provided by NACVSO. After attending the annual school of instruction or national school of accreditation, the county veteran service officer must present to the department a certificate of satisfactory completion of national accreditation training from NACVSO. The department shall certify the possession of a document indicating that the county veteran service officer has completed a course of accreditation and satisfactorily passed an examination for NACVSO accreditation. County veteran service officers shall be certified by the department by June 30, 2010, or within one year from the date of appointment."

In addition, new paragraph 7.2(3)"c" has been added to provide a mechanism for removing county officers from their positions if they fail to comply with accreditation requirements, and to indicate what penalties are available for failure to comply with this rule. New paragraph 7.2(3)"c" reads as follows:

"c. County veteran service officers who fail to become accredited by June 30, 2010, or within one year of beginning their employment as provided for in Iowa Code section 35B.6 as amended by 2008 Iowa Acts, chapter 1130, and 2009 Iowa Acts, House File 283, shall be removed from their positions by the chair of the county commission of veteran affairs. Knowing violation of this provision constitutes noncompliance as provided in paragraph 7.1(4)"c," and individuals who knowingly fail to comply may be charged with a serious misdemeanor for nonfelonious misconduct in office as provided by Iowa Code section 721.2(6)."

Pursuant to 2008 Iowa Acts, chapter 1130, section 2, this new chapter is based on a \$1 million appropriation from the General Assembly for the fiscal year beginning July 1, 2009, and for each subsequent fiscal year.

These rules are intended to implement Iowa Code chapters 35A and 35B as amended by 2008 Iowa Acts, chapter 1130, and 2009 Iowa Acts, House File 283.

These rules shall become effective July 8, 2009.

EDITOR'S NOTE: Pursuant to recommendation of the Administrative Rules Review Committee published in the Iowa Administrative Bulletin, September 10, 1986, the text of these rules [Ch 7] is being omitted. With the exception of the changes noted above, these rules are identical to those published under Notice as **ARC 7660B**, IAB 3/25/09.

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[For replacement pages for IAC, see IAC Supplement 6/3/09.]